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Examiner: Christopher P. GREY

From: Sanro Zlobec, Reg. No. 52,535

Application No.: 09/963,487

Date: May 29, 2007

Reply to Montreal file no.: 86655-15

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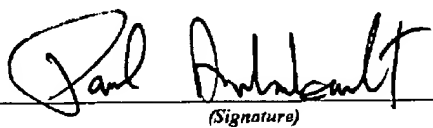
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MAY 29 2007

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Steve ROCHON et al.			86655-15
Application No.	Filing Date	Examiner	Group Art Unit
09/963,487	September 27, 2001	Christopher P. GREY	2616
Invention: METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES			
<p style="text-align: center;">COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME</p> <p>I hereby certify that this _____ (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300)</p> <p>on <u>May 29, 2007</u> (Date)</p> <p style="text-align: right;">Paul W. Archambault (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.

86655-15
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In Re Application Of: Steve ROCHON et al.

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MAY 29 2007

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843

Invention: **METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES**COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of December 29, 2006 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated December 29, 2006 finally rejecting Claim(s) 1-4, 25-37, 40-51, 53-55, 57 and 58

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: * March 29, 2007 until: May 29, 2007

* The one month extension of time fee of \$60.00 was already paid on April 18, 2007

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$225.00 - \$60.00 = \$165.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$415.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. 19-2550 in the amount of \$415.00

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2550 05/31/2007 NNGUYEN1 00000052 192550 09963487

☒ Any additional filing fees required under 37 C.F.R. 1.16.

01 FC:2401 250.00 DA
02 FC:2252 165.00 DA

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-2550

☐ Payment by credit card. Form PTO-2038 is attached.

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P293MALL/REV07

MAY 29 2007

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**Docket No.
86655-15

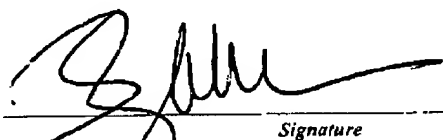
In Re Application Of:

Steve ROCHON et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843

Invention: **METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES****TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


SignatureDated: May 29, 2007

Sanro Zlobec, Reg. No. 52,535
SMART & BIGGAR
1000 De La Gauchetière Street West
Suite 3300
Montreal, Quebec H3B 4W5
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